

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

James Paul Aery,  Plaintiff,  v.  Pine County Ambulance Service et al.,  Defendants.	Case No. 22-cv-0009 (SRN/LIB)     <b>ORDER</b>
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James Paul Aery, Beltrami County Jail, 626 Minnesota Ave. NW, Bemidji, MN 56601,  
Pro Se

SUSAN RICHARD NELSON, United States District Judge

Before the Court is Plaintiff James Paul Aery's Motion for Permission to File a Motion to Reconsider [Doc. No. 8]. On April 13, 2022, the Court adopted Magistrate Judge Leo Brisbois' recommendation to dismiss Mr. Aery's claims without prejudice for failure to state a claim. (Apr. 13, 2022 Order [Doc. No. 6].) Mr. Aery filed the instant motion approximately three months later, on July 11, 2022.

Local Rule 7.1(j) of this Court requires a party seeking reconsideration to first obtain permission to file such a motion. D. Minn. L.R. 7.1(j). A party may receive permission only by showing "compelling circumstances." *Id.* Motions for reconsideration serve the limited purpose of "correct[ing] manifest errors of law or fact or . . . present[ing] newly

discovered evidence.” *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (quoting *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir. 1987)).

Through his proposed motion for reconsideration, Mr. Aery essentially seeks to amend his complaint, stating that he would like to “reframe[e]” the named defendants as John Doe ambulance personnel and the Pine County Attorney in order to cure defects in his original pleading. (Mot. for Reconsid. at 1.)

The Court finds that Mr. Aery has not established “compelling circumstances” necessary to obtain leave to file a motion for reconsideration. Among other things, his proposed amendments would not cure the many defects that Magistrate Judge Brisbois identified and which the Court adopted in the April 13 Order.

Accordingly, Plaintiff’s Motion for Permission to File a Motion to Reconsider [Doc. No. 8] is **DENIED**.

**SO ORDERED.**

Dated: July 13, 2022

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge